

Laws, Policies, and Regulations Prohibiting Sex Discrimination and Sexual Harassment

Equal Pay Act (1963)

Prohibits sex discrimination in payment of wages and fringe benefits to women and men performing substantially equal work in the same establishment. (Note: the law does not apply to sex-based discrimination in hiring, job assignment, discipline or promotion practices.)

Title VII, Civil Rights Act (1964 as amended)

Prohibits discrimination based on race, color, religion, sex or national origin in all aspects of employment. Because the EEOC has affirmed that sexual harassment is a form of sex discrimination, sexual harassment is covered under Title VII and is, therefore, illegal behavior under this law. Also, it is unlawful to retaliate against any applicant or employee who opposes unlawful employment practices or attempts to exercise rights under Title VII.

Equal Employment Opportunity Act (1972)

Amended Title VII of the Civil Rights Act of 1964 to extend coverage to federal, state and local government employees. The Office of Personnel Management was charged with ensuring all Federal Government actions were free from discrimination.

Pregnancy Discrimination Act (1978)

Extends the definitions of sex discrimination to include discrimination based on pregnancy, childbirth or related medical conditions. This means that pregnancy and pregnancy-related medical conditions must be treated the same as any other medical condition with respect to all terms and conditions of employment, including health benefits.

Civil Rights Act (1991)

Made several significant changes affecting EEO law and litigation. The Act allows, for the first time, the federal sector to be sued for intentional discrimination. It established that the burden of proof for claims of disparate impact is to be on the employer rather than the complainant. The Act also provides for awards of compensatory and punitive damages, and the right to jury trials for intentional violations under Title VII and the Americans with Disabilities Act (ADA) of 1990.

Civil Service Reform Act (1978)

This law draws upon the intent of Title VII by prohibiting personnel practices which discriminate on the basis of race, color, religion, sex, or national origin. Sexual harassment, being a form of sex discrimination which is prohibited by Title VII, is, therefore, illegal behavior under this law.

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29 CFR 1614

This EEOC regulation sets forth Federal agency requirements for carrying out Title VII of the Civil Rights Act of 1964 as amended. It mandates that each Federal agency provide explicit procedures for processing complaints of discrimination, including complaints of sexual harassment.

Department of Agriculture Policy Prohibiting Sexual Harassment

Each Federal agency, including the Department of Agriculture, is required to publish an annual policy statement on the prevention of sexual harassment in the work place. The Secretary of Agriculture issues a policy statement and plan for the prevention of sexual harassment as part of the agency's Affirmative Employment Program Plan for minorities and women.

MRP Policy Statement on the Prevention of Sexual Harassment

The MRP Administrators annually issue a policy statement on the prevention of sexual harassment. The policy statement:

- defines sexual harassment
- describes the effect of sexual harassment on the agency work force
- outlines employee, manager, and supervisor responsibilities in preventing sexual harassment.

29 CFR 1604

This EEOC regulations sets forth the Federal agency guidelines prohibiting discrimination because of sex. The guidelines established criteria for determining when unwelcome conduct of a sexual nature constitutes sexual harassment, defining the circumstances under which an employer may be held liable, and suggesting affirmative steps an employer should take to prevent sexual harassment. The EEOC also established the two types of sexual harassment, "quid pro quo" and "hostile environment".